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SHERIDAN ROSS P.C. 1560 BROADWAY, SUITE 1200 DENVER, CO 80202				
EXAMINER				
NGUYEN, KHAI N				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/815,534

Applicant(s)

KIEFHABER ET AL.

Examiner

KHAI N. NGUYEN

Art Unit

2614

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11, 13-25 and 27-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11, 13-25 and 27-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed on January 20, 2009 has been entered. Claims 1, 4, 13, 19, 20, 27, and 33 have been amended. Claims 12 and 26 have been canceled. No claims have been added. Claims 1-11, 13-25, and 27-40 are still pending in this application, with claims 1, 13, and 27 being independent.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 101

3. Claims 13-25 and 40 are rejected under 35 U.S.C. 101 as not falling within one of the four statutory categories of invention. Supreme Court precedent¹ and recent Federal Circuit decisions (*In re Bilski*, 88 USPQ2d 1385 (Fed. Cir. 2008)) indicate that a statutory "process" under 35 U.S.C. 101 must (1) be tied to another statutory category (such as a particular apparatus), or (2) transform underlying subject matter (such as an article or material) to a different state or thing. While the instant claim(s) recite a series of steps or acts to be performed, the claim(s) neither transform underlying subject matter nor positively tie to another statutory category that accomplishes the claimed method steps, and therefore do not qualify as a statutory process.

¹ *Diamond v. Diehr*, 450 U.S. 175, 184 (1981); *Parker v. Flook*, 437 U.S. 584, 588 n.9 (1978); *Gottschalk v. Benson*, 409 U.S. 63, 70 (1972); *Cochrane v. Deener*, 94 U.S. 780, 787-88 (1876).

For example, amended claim 13 still appears to have a mere manipulation of data (receiving, determining, servicing,), and does not have any tangible, useful and concrete result. Receiving "a real-time contact", determining "if a real-time contact is related to another contact from a common customer", and servicing "a related contact differently than a unrelated contact" can be done by an agent/person (someone talking to a customer or read e-mail from a customer and decides if the contacts are related or not, and then servicing this contact accordingly). Applicants have provided no explicit and deliberate definitions of "receiving", "determining" or "servicing" to limit the steps to the electronic form of the "contact". No practical application is provided, since all of the recited steps can be performed in the mind of a user/person or by the use of a pencil and paper.

Claim Rejections - 35 USC § 103

4. Claims 1-11, 13-25, 27-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schroeder et al. (U.S. Patent Number 6,829,348 hereinafter "Schroeder") in view of Williams (U.S. Publication Number 2004/0109555 A1).

Regarding claims 1, 11, 16, and 30, Schroeder teaches a method (Figs. 1-20), a computer readable medium comprising processor executable instructions (Fig. 18, 1800 Computer System, 1808 Main Memory, 1812 Hard Drive, 1814 Removable Drive, column 29, lines 24-47), and wherein contacts are serviced by a plurality of agents (Fig. 1A, 32 Contact Center Management System, 50 Agent Computer, 52 Agent Phone,

column 10, lines 25-32, i.e., a plurality of agent computers and telephones located in the center), comprising:

- tracking (Fig. 1A, 28 Tracking System, Fig. 6, 128 Contacts Tracking System, Fig. 20, Contact Tracking System Strategy), by a processor (Fig. 1A, 28 Tracking System, 28a Database, Fig. 6, 128, 128a, 66, 68 Contact History) and over a selected time period, for a set of a plurality of agents servicing a plurality of discrete real-time (Fig. 1A, 36 Customer Phone, Fig. 6, 60 Customer Contact Channels, Voice/PSTN) and non-real-time contacts (Fig. 1A, 40 Customer Computer, Fig. 6, 60, Internet, E-Mail) from different customers, a number of discrete real-time (Fig. 1A, 36, Fig. 6, 60) and non-real-time (Fig. 1A, 40, Fig. 6, 60) contacts serviced by the set of agents that are and/or are not related to at least one other discrete real-time and non-real-time contact from a customer, serviced by the plurality of agents (Fig. 1A, Fig. 6, column 9, lines 48-56, column 12, lines 25-28, i.e., whether the customer has called previously "repeat contact", and column 21, lines 38-45);

- maintaining, by a processor (Fig. 1A, 28 Tracking System, 28a, Fig. 6, 128, 128a, 66, 68 Contact History) and for the set of agents, an indicator (Fig. 1A, 28, Fig. 6, 128, 128b Call Tracking, 128f Case Management) indicating at least one of (i) a number of discrete real-time (Fig. 1A, 36, Fig. 6, 60) and non-real-time (Fig. 1A, 40, Fig. 6, 60) contacts, serviced by the set of agents during the selected time period, that are not related to one or more other discrete real-time and non-real-time contacts serviced by one or more of the plurality of agents and (ii) a number of discrete real-time and non-real-time contacts, serviced by the set of agents during the selected time period, that

are related to one or more other discrete real-time and non-real-time contacts serviced by the plurality of agents (Fig. 1A, Fig. 6, column 13, line 58 through column 14, line 6, and column 22, lines 35-38, i.e., ties a set of related contacts together), and

- using the indicator (Fig. 1A, Fig. 6), for at least one of the following purposes:

- evaluation, by a processor (Fig. 1A, 28 Tracking System, 28a, Fig. 6, 128, 128a, 66, 68 Contact History), of performance of the contact center and/or one or more agents (Fig. 6, 128, 128a, 130, 130a, 132, column 23, line 55 through column 24 line 5, i.e., provide data regarding calls to the contact center, the performance of agents); and

- determination, by a processor (Fig. 1A, 28 Tracking System, 28a, Fig. 6, 128, 128a, 66, 68 Contact History), of a routing destination for a selected currently pending contact (Fig. 1A, Figs. 2-6, column 11, lines 36-47, i.e., a desired agent may be an agent who is currently available, an agent that has extensive knowledge about a particular area).

However, Schroeder might not be clearly describing two or more contacts from a common customer are deemed to be related when the contacts involve at least one of a common subject matter and purpose. Although, Schroeder teaches that the first contact and any subsequent contacts "repeated contacts" may be link together by the common subject matter "related contact" which can be reads on the contacts are from a common customer (Fig. 6, 128 Contacts Tracking System, 128f Case Management, column 22, lines 40-46).

In the same field of endeavor, Williams teaches an Automatic Call Distribution system to determine two or more contacts from a common customer are deemed to be related when the contacts involve at least one of a common subject matter and purpose (See Williams – Figs. 1-2, Fig. 3, step 310 Receive Repair Call "common subject matter and purpose", step 315 Determine Caller Status, Fig. 4, step 425 First Time Caller "one and done", 435 Repeat Caller "a common customer with two or more contacts", Fig. 5 – paragraph [0033]. Williams further teaches that there is a need to reduce wait time of customers on hold in a queue by improving the call routing based on the determination of a first time caller or a repeated caller (See Williams – paragraphs [0003]-[0004]).

Therefore, it would have been obvious to a person of ordinary in the art at the time of the invention was made to incorporate the determination of two or more contacts from a common customer are deemed to be related when the contacts involve at least one of a common subject matter and purpose, as taught by Williams, into the method and system of Schroeder in order to enhance the customer contact management. Since, Schroeder teaches the customer contact management method and system that determined the first contact and any subsequent contacts "repeated contacts" may be link together by the common subject matter "related contact", and thus adding the determination of two or more contacts from a common customer are deemed to be related when the contacts involve at least one of a common subject matter and purpose is to apply a known technique to a known device ready for improvement to yield predictable results (see KSR – MPEP 2143). One having ordinary skill in the art would

have been motivated to make such a modification to reduce wait time of customers on hold in queue, as per the teachings of Williams.

Regarding claims 2, 17, and 31, Schroeder teaches the contact center and method (Figs. 1-20), further comprising:

- when a first contact of a first customer is serviced by the set of agents, receiving from the servicing agent a subject matter identifier indicating a purpose of the serviced first contact (Fig. 1A, Fig. 4, step 29, column 14, lines 30-36, i.e., information about the call itself, reason why the customer is calling); and

- when a later second contact is received from the first customer, comparing a second subject matter identifier associated with the second contact with the first subject matter identifier to determine whether the first and second contacts are related (Fig. 1A, 28a, Fig. 4, column 13, lines 58-61, i.e., determine if contact information already exists in database 28a, and column 22, lines 43-46, i.e., first contact and any subsequent contacts may be linked together).

Regarding claims 3-4, 18-19, and 32-33, Schroeder teaches the contact center and method, wherein, when the first and second identifiers are similar, the first and/or second and third contacts are deemed to be related, and wherein, when two contacts are received from the same customer during a predetermined period of time, the two contacts are deemed to be related (Fig. 1A, Fig. 6, column 22, lines 35-38, i.e., ties a

set of related contacts together, and lines 43-46, i.e., first contact and any subsequent contacts may be linked together).

Schroeder might not be clearly describe the same customer with the two contacts are involve at least one of a common subject matter and purpose and therefore are deemed to be related. Williams teaches the same customer with the two contacts are involve at least one of a common subject matter and purpose and therefore are deemed to be related (See Williams – Figs. 1-2, Fig. 3, step 310 Receive Repair Call "common subject matter and purpose", step 315 Determine Caller Status, Fig. 4, step 425 First Time Caller "one and done", 435 Repeat Caller "a common customer with two or more contacts", Fig. 5 – paragraph [0033]. Williams further teaches that there is a need to reduce wait time of customers on hold in a queue by improving the call routing based on the determination of a first time caller or a repeated caller (See Williams – paragraphs [0003]-[0004]). Therefore, it would have been obvious to a person of ordinary in the art at the time of the invention was made to incorporate the determination that the same customer with the two contacts are involve at least one of a common subject matter and purpose and therefore are deemed to be related, as taught by Williams, into the method and system of Schroeder in order to enhance the customer contact management.

Regarding claims 5, 20, and 34, Schroeder teaches the contact center and method, further comprising:

- monitoring (Fig. 6, 128g Data Capture) a set of communications between a servicing agent in the set of agents and a customer during servicing of a contact (Fig. 1A, Fig. 6, 122, 128, 128f, 128g, column 22, lines 51-55); and

- based on the set of communications, determining that the contact is related to another contact/previous completed contact from the same customer (Fig. 1A, Fig. 6, 122, 128, 128f, 128g, column 22, lines 56-60, i.e., reason and disposition of the contact, and lines 35-38, i.e., ties a set of related contacts together).

Regarding claims 6, 21, and 35, Schroeder teaches the contact center and method (Fig. 1A, Fig. 6), and wherein the monitoring step comprises:

- analyzing the set of communications for at least one selected word (Fig. 1A, Fig. 2, 44a Interactive Voice Response (IVR), 48a Computer Telephony Integration (CTI) server) and wherein in the determining step, the presence of the at least one selected word means that the contact is related to another contact (Fig. 1A, Fig. 2, 44a IVR, 48a, column 12, lines 2-32, i.e., customer has called previously).

Regarding claims 7, 22, and 36, Schroeder teaches the contact center and method (Figs. 1-20), wherein each agent in the set has a corresponding indicator indicating a number of contacts (Fig. 1A, 28, Fig. 6, 128, Fig. 20 Contact Tracking System), serviced by the set of agents during a selected time period, that are (i) not related to another contact serviced by one or more of the plurality of agents or (ii)

related to another contact serviced by one or more of the plurality of agents (Fig. 1A, 28, Fig. 6, 128, 128f, column 22, lines 35-38) and further comprising:

- receiving a contact to be serviced by one of the plurality of agents (Fig. 1A, 20, 32 Contact Center Management System, 36 Customer Phone, 52 Agent Phone, column 10, lines 25-32);

- retrieving agent profiles for the set of agents/selected subset of the plurality of agents; and assigning one of the set of agents to service the contact based, at least in part, on a comparison of the indicators corresponding to the agents in the set/subset (Fig. 1A, 20, 32, column 11, lines 36-36, i.e., a desired agent may be an agent that has extensive knowledge about a particular area).

Regarding claims 8, 24 and 37, Schroeder teaches the contact center and method (Figs. 1-20), wherein the indicator indicates a number of contacts (Fig. 1A, 28, Fig. 6, 128, Fig. 20 Contact Tracking System), serviced by the set of agents/ corresponding agent during the selected time period, that are related/not related to another contact serviced by one or more of the plurality of agents (Fig. 1A, 28, Fig. 6, 128, 128f, column 22, lines 35-38) and wherein a single contact is defined as each interaction between a selected agent and a selected customer such that an agent-to-agent transfer of a communication from the selected customer is considered to represent multiple contacts (Fig. 1A, Fig. 6, 132 Contact Center Management System, Fig. 9 Agent Productivity System, column 27, lines 44-46, i.e., number of calls/percentage of calls transferred).

Regarding claims 9, 23, and 38, Schroeder teaches the contact center and method (Figs. 1-20), wherein the indicator indicates a number of contacts (Fig. 1A, 28, Fig. 6, 128, Fig. 20 Contact Tracking System), serviced by the corresponding agent during the selected time period, that are relate/not related to another contact serviced by the agent (Fig. 1A, 28, Fig. 6, 128, 128f, column 22, lines 35-38) and wherein a single contact is defined as all interactions between all members of the set of agents and a selected customer such that an agent- to-agent transfer of a communication from the selected customer is considered to represent a single contact (Fig. 1A, Fig. 6, 128, 130 Contact Center Reporting System, 132, column 25, line 60 through, column 26 , line 10).

Regarding claim 10, Schroeder teaches the method, wherein the set of agents comprises one or more agents in the plurality of agents (Fig. 1A, Fig. 6, column 10, lines 25-32), wherein the related contact is a prior contact, and wherein the membership of the set of agents is defined by skill (Fig. 1A, Fig. 6, Fig. 20, column 22, lines 35-43, i.e., agent handles the call and offers solution either in the present call or subsequent calls).

Regarding claims 13 and 25, Schroeder teaches a method (Figs. 1-20), a computer readable medium comprising processor executable instructions (Fig. 18, 1800 Computer System, 1808 Main Memory, 1812 Hard Drive, 1814 Removable Drive, column 29, lines 24-47), comprising:

(a) at least one of receiving a first real-time contact from and initiating a second real-time contact with a first customer (Fig. 1A, Fig. 6, Fig. 20, column 22, lines 35-43, i.e., agent handles the call and offers solution either in the present call or subsequent calls);

(b) determining, by a repeat contact determining agent (Fig. 1A, 28, 28a, Fig. 6, 128, 128a, 66, 68 Contact History), whether the first and/or second contact is related to another real-time or non-real-time contact with the first customer (Fig. 1A, 28, Fig. 6, 128, 128b Call Tracking, 128f Case Management); and

(c) when the first and/or second contact is related to another real-time or non-real-time contact with the first customer, servicing, by a contact center resource, the first and/or second contact differently than when the first and/or second contact is unrelated to another real-time or non-real-time contact with the first customer (Fig. 1A, Fig. 6, Fig. 20, column 22, lines 35-50, i.e., these contacts can be tied "related or unrelated" together in a number of ways, and real-time "subsequent calls", and non-real-time "subsequent e-mails").

However, Schroeder might not be clearly described two or more contacts from a common customer are deemed to be related when the contacts involve at least one of a common subject matter and purpose. Although, Schroeder teaches that the first contact and any subsequent contacts "repeated contacts" may be link together by the common subject matter "related contact" which can be reads on the contacts are from a common customer (Fig. 6, 128 Contacts Tracking System, 128f Case Management, column 22, lines 40-46).

In the same field of endeavor, Williams teaches an Automatic Call Distribution system to determine two or more contacts from a common customer are deemed to be related when the contacts involve at least one of a common subject matter and purpose (See Williams – Figs. 1-2, Fig. 3, step 310 Receive Repair Call "common subject matter and purpose", step 315 Determine Caller Status, Fig. 4, step 425 First Time Caller "one and done", 435 Repeat Caller "a common customer with two or more contacts", Fig. 5 – paragraph [0033]. Williams further teaches that there is a need to reduce wait time of customers on hold in a queue by improving the call routing based on the determination of a first time caller or a repeated caller (See Williams – paragraphs [0003]-[0004]).

Therefore, it would have been obvious to a person of ordinary in the art at the time of the invention was made to incorporate the determination of two or more contacts from a common customer are deemed to be related when the contacts involve at least one of a common subject matter and purpose, as taught by Williams, into the method and system of Schroeder in order to enhance the customer contact management. Since, Schroeder teaches the customer contact management method and system that determined the first contact and any subsequent contacts "repeated contacts" may be link together by the common subject matter "related contact", and thus adding the determination of two or more contacts from a common customer are deemed to be related when the contacts involve at least one of a common subject matter and purpose is to apply a known technique to a known device ready for improvement to yield predictable results (see KSR – MPEP 2143). One having ordinary skill in the art would

have been motivated to make such a modification to reduce wait time of customers on hold in queue, as per the teachings of Williams.

Regarding claims 27, Schroeder teaches a contact center (Fig. 1A, 20, Fig. 6, 122) for servicing contacts, comprising:

- an input (Fig. 1A, 22 Call Center, Fig. 6, 60 Customer Contact Channels) operable to receive a contact from a first customer (Fig. 1A, 36 Customer Phone, 40 Customer Computer, Fig. 6, 60 Internet, Voice/PSTN, E-Mail, column 19, lines 16-19); and

- a selector operable (Fig. 1A, 28, Fig. 6, 128 Contact Tracking System) (i) to determine whether the received real-time contact (Fig. 6, 60 Voice/PSTN) is related (Fig. 6, 128b Call Tracking, 128f Case Management) to another real-time or non-real-time (Fig. 6, 60 Internet, E-Mail) contact with the first customer and (ii) when the received real-time contact is related (Fig. 6, 128b Call Tracking, 128f Case Management) to at least one real-time and non-real-time contact with the first customer, to service, by a contact center resource (Fig. 1A, 52 Agent Phone, 50 Agent Computer), the received real-time contact differently than when the received real-time contact is unrelated to at least one real-time and non-real-time contact with the first customer (Fig. 1A, Fig. 6, Fig. 20, column 22, lines 35-45).

However, Schroeder might not be clearly described two or more contacts from a common customer are deemed to be related when the contacts involve at least one of a common subject matter and purpose. Although, Schroeder teaches that the first contact

and any subsequent contacts "repeated contacts" may be link together by the common subject matter "related contact" which can be reads on the contacts are from a common customer (Fig. 6, 128 Contacts Tracking System, 128f Case Management, column 22, lines 40-46).

In the same field of endeavor, Williams teaches an Automatic Call Distribution system to determine two or more contacts from a common customer are deemed to be related when the contacts involve at least one of a common subject matter and purpose (See Williams – Figs. 1-2, Fig. 3, step 310 Receive Repair Call "common subject matter and purpose", step 315 Determine Caller Status, Fig. 4, step 425 Fist Time Caller "one and done", 435 Repeat Caller "a common customer with two or more contacts", Fig. 5 – paragraph [0033]. Williams further teaches that there is a need to reduce wait time of customers on hold in a queue by improving the call routing based on the determination of a first time caller or a repeated caller (See Williams – paragraphs [0003]-[0004]).

Therefore, it would have been obvious to a person of ordinary in the art at the time of the invention was made to incorporate the determination of two or more contacts from a common customer are deemed to be related when the contacts involve at least one of a common subject matter and purpose, as taught by Williams, into the method and system of Schroeder in order to enhance the customer contact management. Since, Schroeder teaches the customer contact management method and system that determined the first contact and any subsequent contacts "repeated contacts" may be link together by the common subject matter "related contact", and thus adding the determination of two or more contacts from a common customer are deemed to be

related when the contacts involve at least one of a common subject matter and purpose is to apply a known technique to a known device ready for improvement to yield predictable results (see KSR – MPEP 2143). One having ordinary skill in the art would have been motivated to make such a modification to reduce wait time of customers on hold in queue, as per the teachings of Williams.

Regarding claims 14 and 28, Schroeder teaches the method and a contact center, wherein the selector (Fig. 1A, 28, Fig. 6, 128 Contact Tracking System) is further operable (iii) to tag the received contact, while in queue awaiting servicing, with a number of related real-time and non-real-time contacts with the first customer (Fig. 6, 128b Call Tracking, 128g Data Capture, column 21, lines 46-48, and column 22, lines 51-55).

Regarding claims 15 and 29, McKenna teaches the method and a contact center, wherein the selector (Fig. 1A, Figs. 3-6), when the received contact is related to a previous contact with the first customer, at least one of (i) records the received contact interaction to form a transcript of the interaction (Figs. 3-4, 44b IVR), (ii) forwards the received contact to a first agent having a first skill (Figs. 3-4, 52 Agent Phone), and (iii) activates quality monitoring (Fig. 5, 28a Tracking System, 30a Reporting System) and, when the received contact is unrelated to a previous contact with the first customer, does not at least one of (i) record the received contact interaction to form a transcript of the interaction, (ii) forward the received contact to a first agent having a first skill, and

(iii) activate quality monitoring (Fig. 1A, Figs. 3-6, column 13, lines 32-57, and column 15, lines 38-57).

Regarding claims 39 and 40, Schroeder discloses everything claimed as applied above (see claims 1 and 13 above). However, Schroeder does not specifically disclose to identify, for at least one of an agent and selected grouping of agents a number of one-and-done contacts serviced by the at least one of an agent and selected grouping of agents, wherein each of the one-and-done contacts is not related to one or more other contacts from a common customer.

Williams teaches an Automatic Call Distribution system to identify, for at least one of an agent and selected grouping of agents a number of one-and-done contacts serviced by the at least one of an agent and selected grouping of agents, wherein each of the one-and-done contacts is not related to one or more other contacts from a common customer (See Williams – Figs. 1-2, Fig. 3, step 315 Determine Caller Status, Fig. 4, step 425 First Time Caller "one and done", 435 Repeat Caller "a common customer with two or more contacts", Fig. 5 – paragraphs [0033]-[0034], i.e. if the customer is the first time caller "one-and-done" then routes the call the customer service assistance group 91 "selected group of agents"). Therefore, it would have been obvious to a person of ordinary in the art at the time of the invention was made to incorporate one of an agent and selected grouping of agents a number of one-and-done contacts serviced by the at least one of an agent and selected grouping of agents, wherein each of the one-and-done contacts is not related to one or more other contacts from a

common customer, as taught by Williams, into the method and system of Schroeder in order to enhance the customer contact management.

Response to Arguments

5. Applicant's arguments with respect to claims 1-11, 13-25, and 27-40 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KHAI N. NGUYEN whose telephone number is

(571)270-3141. The examiner can normally be reached on Monday - Thursday 6:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F. Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/K. N. N./
Examiner, Art Unit 2614
05/08/2009

/Ahmad F Matar/
Supervisory Patent Examiner, Art Unit 2614